

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office NOV 18 1983

Returned to applicant for correction

Corrected application filed

Map filed NOV 18 1983

The applicant Miller S. Vaughan, Janet C. Pierce, Dorothy M. Kaiser

P. O. Box 1420, of Elko, Nevada 89801

hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Mayhew Creek

2. The amount of water applied for is 16.0 cfs second-foot

(a) If stored in reservoir give number of acre-feet

3. The water to be used for Irrigation

4. If use is for:

(a) Irrigation, state number of acres to be irrigated 1737 acres

(b) Stockwater, state number and kinds of animals to be watered

(c) Other use (describe fully under "No. 12. Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point Being within Lot 3 (NE¼ NW¼) of Section 2, T 29 N, R 58 E, MDB & M., at a point from which the NW corner survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated. of said Section 2 bears N 53° 35' 00" W 1942.75 feet.

6. Place of use Portions of NW¼, SW¼, SE¼, SW¼ NE¼ Section 1; Portions of NW¼, NE¼, E¼ SE¼, NW¼ SE¼ Section 2; Lot 1, Portions of Lots 2&3 Section 12; All in T 29 N, R 58 E, MDB & M., Also Lots 2, 3&4, SE¼ SE¼, Portions of Lot 1 Section 7; Portions of SW¼, Lot 3 Section 8; N¼ NE¼, NE¼ NW¼ Section 18; T 29 N, R 59 E, MDB & M., Also portions of the unsurveyed parts of Sections 1 & 12, T 29 N, R 58 E, MDB & M., and Section 6&7, T 29 N, R 59 E, MDB & M., lying between the meander line and the centerline of Franklin Lake. The above Place of Use is intended to include all of the lands shown in Exhibit "A" attached hereto and made a part hereof.

7. Use will begin about April 1 and end about September 1, of each year.

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Ditches, Headgates and Small Dams.

flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$20,000

10. Estimated time required to construct works..... 3 years  
If well completed, describe works.  
.....
11. Estimated time required to complete the application of water to beneficial use..... 5 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.  
We request that action on this application be withheld until such time adjudication of the waters of Ruby Valley has been completed. At such time we may wish to reduce the cfs requested. Also, this application to appropriate water for irrigation in no way is intended to jeopardize, hinder, interfere with or effect the applicant's vested and/or decreed water rights to the land described in Item 6 above. This application is also intended to have the same date and time or priority as an application filed for Robert O. Vaughan on lands adjoining the Place of Use noted on this application.

By s/Alan S. Boyack  
Alan S. Boyack, Agent  
515 SouthFifth Street  
Elko, Nevada 89801

Compared.....js/br.....

Protested.....

.....  
OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No.....Issued.....

IN TESTIMONY WHEREOF, I.....  
State Engineer of Nevada, have hereunto set my hand and the seal of  
my office, this.....day of.....  
A.D. 19.....

EXHIBIT "A"  
TO WATER APPLICATION FOR  
MILLER S. VAUGHAN, JANET C. PIERCE AND DOROTHY M. KAISER

PARCEL I

TOWNSHIP 29 NORTH, RANGE 58 EAST, M.D.B. & M.

Section 1: Those portions of the NW $\frac{1}{4}$ ; SW $\frac{1}{4}$  NE $\frac{1}{4}$ , N $\frac{1}{2}$  SW $\frac{1}{4}$ ; SE $\frac{1}{4}$  SW $\frac{1}{4}$  and SE $\frac{1}{4}$  lying south and west of a fence already constructed, more particularly described as follows:

Beginning at Corner No. 1, which is the corner common at Sections 1 and 2, T. 29 N., R. 58 E., and Sections 35 and 36, T. 30 N., R. 58 E., running thence S. 38° 53' E., 1211.00 feet to Corner No. 2; thence S. 60° 33' E., 1231.00 feet to Corner No. 3; thence S. 74° 39' E., 416.63 feet to Corner No. 4; thence S. 38° 02' E., 993.12 feet to Corner No. 5; thence S. 89° 15' E., 509.55 feet to Corner No. 6; thence S. 0° 38' W., 212.39 feet to Corner No. 7; thence S. 54° 18' E., 2516.90 feet to Corner No. 8; thence S. 0° 39' W., 137.48 feet to Corner No. 9; thence S. 34° 41' W., 1428.90 feet to Corner No. 10; a point in the south line of Section 1; thence N 89° 31' W., 4422.00 feet to Corner No. 11, the south corner of Section 1; thence N. 5286.52 feet to Corner No. 1, the place of beginning, containing 371.91 acres, more or less.

Section 2: N $\frac{1}{2}$  N $\frac{1}{2}$ ; SE $\frac{1}{4}$  NE $\frac{1}{4}$ .

Section 12: Lot 1.

TOWNSHIP 29 NORTH, RANGE 59 EAST, M.D.B. & M.

Section 7: Lots 1, 2, 3 and 4; SE $\frac{1}{4}$  SE $\frac{1}{4}$ .

Section 8: Lots 2 and 3; SE $\frac{1}{4}$  NW $\frac{1}{4}$ ; W $\frac{1}{2}$  NE $\frac{1}{4}$ ; SW $\frac{1}{4}$ , saving and excepting therefrom those portions of any and all said subdivisions conveyed by Jesse Marion Short, et ux., to Alma George Short by Deed dated July 23, 1945, and recorded July 24, 1945 in Book 53 of Deeds, pages 337-339, Records, Elko County Recorder's Office.

Section 18: N $\frac{1}{2}$  NE $\frac{1}{4}$ ; NE $\frac{1}{4}$  NW $\frac{1}{4}$ .

PARCEL II

Those portions of the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 1, the E $\frac{1}{2}$  SE $\frac{1}{4}$ ; NW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ , and S $\frac{1}{2}$  NW $\frac{1}{4}$  of Section 2 and lots 2 and 3 of Section 12, T. 29 N., R. 58 E., M.D.B. & M. lying northerly of a fence line as constructed, more particularly described as follows:

Commencing at the Northwest Corner of Section 2, T. 29 N., R. 58 E., thence southerly along the westerly line of said Section 2, a distance of 2,471.00 feet to Corner No. 1, the point of beginning, thence S 87° 57' E. along an existing fence a distance of 3,304.3 feet to a fence intersection being Corner No. 2, thence S 44° 13' E. along an existing fence a distance of 5,155.9 feet to Corner No. 3, the point of ending being a point on the southerly boundary line of Lot 2 in Section 12, T. 29 N., R. 58 E., M.D.B. & M. and the northwesterly meander line of Franklin Lake.

PARCEL III

All right, title and interest in and to the riparian lands lying between the meander line of Franklin Lake and the centerline of Franklin Lake described as follows:

Commencing at a point on the centerline of Franklin Lake, G.L.O. Survey, at the closing corner of Sections 7 and 18, T. 29 N., R. 59 E., M.D.B. & M., the point of beginning; thence North 35° 57' 55.9" West, 6,069.37 feet to the southeast corner of Lot 2, Section 12, T. 29 N., R. 58 E., M.D.B. & M.; thence North 70° 15' East, 1,904.11 feet; thence North 34° 41' East, 1,428.90 feet, more or less; thence South 54° 18' 02" East, 6,091.83 feet, to a point on the centerline of Franklin Lake, G.L.O. Survey, from whence the closing corner of Sections 7 and 8, T. 29 N., R. 59 E., M.D.B. & M., bears North 48° 45' East, 181.22 feet; thence South 48° 45' West, 3,139.74 feet to Angle Point 9 on the centerline of Franklin Lake, G.L.O. Survey; thence South 56° 30' West, 2,032.80 feet, to the point of beginning, containing 566.64 acres, more or less.